

MJR  
F.#2003R01145

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

ORDER OF  
JUDICIAL REMOVAL

- against -

03-CR-0664 (ARR)

LUIS ENRIQUE ARBOLEDA,

Defendant.

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Upon application of the United States of America, by Michael J. Ramos, Assistant United States Attorney, Eastern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of the defendant Luis Arboleda (hereinafter "defendant"); and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matters set forth therein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and citizen of Colombia.
3. The defendant was admitted to the United States at New York, New York on or about October 9, 1992 as a lawful permanent resident.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in this Court for the offense of Conspiracy to Possess with Intent to Distribute Heroin, in violation of Title 21, United States Code, Section 846.

5. A maximum sentence of life imprisonment may be imposed for a violation of this offense.

6. At sentencing, the defendant will be subject to removal under the Immigration and Nationality Act, Sections 237(a)(2)(A)(iii) and 237(a)(2)(B), as amended, Title 8, United States Code, Section 1181(a)(2) (hereinafter "the Act"), in that the defendant will have been convicted of an aggravated felony and a violation relating to a controlled substance.

7. The defendant has waived any and all forms of relief from removal.

8. The defendant has designated the country of Colombia for removal pursuant to Section 240(d) of the Act, as amended, Title 8, United States Code, Section 1228(a).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(d) of the Immigration and Nationality Act, Title 8, United States Code, Section 1228(d), that the defendant be removed from the United States promptly upon his release from confinement, and that the defendant be ordered removed to Colombia.

Dated: Brooklyn, New York  
September 28, 2005

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HONORABLE ALLYNE R. ROSS  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK

MJR  
F. #2003R01145

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

- against -

LUIS ENRIQUE ARBOLEDA,

Defendant.

DEFENDANT'S PLEA STATEMENT  
IN SUPPORT OF JUDICIAL  
REMOVAL PROCEEDINGS

03-CR-0664 (ARR)

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LUIS ARBOLEDA defendant in the above-captioned  
proceeding, hereby states as follows:

1. My true and correct name is Luis Enrique Arboleda.
2. I received a Notice of Intent to Request Judicial Removal ("Notice") dated September 28, 2005. I am the person identified in that document. I hereby waive my right to have the Notice served upon me prior to the commencement of the trial or entry of a guilty plea.
3. I received the Factual Allegations and Charge in Support of Judicial Removal (the "Allegations"). I hereby waive my rights to have the Allegations served 30 days prior to my sentencing. My rights in a judicial removal proceeding have been fully explained to me by my attorney.
4. I understand that I am waiving my right to examine the evidence against me, present evidence on my own behalf, and cross-examine witnesses presented by the government. I understand these rights, and waive further explanation by the Court.

5. I hereby admit all factual allegations contained in the Allegations to be true and correct as written.

6. I hereby concede that I am removable from the United States pursuant to the Immigration and Nationality Act, Sections 237(a)(2)(A)(iii) and 237(a)(2)(B), as amended, Title 8, United States Code, Section 1181(a)(2) (hereinafter "the Act"), in that I have been convicted of an aggravated felony and violation relating to a controlled substance.

7. I hereby waive any rights I may have to apply for relief from removal.

8. I request that an order be issued for my removal to the country of Colombia.

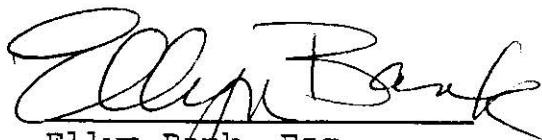
9. I consent to the introduction of this statement as an exhibit in the record of these judicial removal proceedings.

10. I will accept a written order for my removal as a final disposition of these proceedings and waive any rights I may have to appeal the order issued.

Dated: Brooklyn, New York  
10. 20, 2005

  
LUIS ENRIQUE ARBOLEDA  
Defendant

Translated by:

  
Ellyn Bank, Esq.  
Counsel to Defendant

